

UNITED STATES OF AMERICA

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge Morey L. Sear
United States District Court
Eastern District of Louisiana

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
United States Court of Appeals
Sixth Circuit

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
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December 16, 2002

NOTICE OF HEARING SESSION

Dear Counsel:

Pursuant to the order of the Judicial Panel on Multidistrict Litigation filed today, you are hereby notified that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

DATE OF HEARING SESSION: January 28, 2003

LOCATION OF HEARING SESSION: United States Courthouse
Courtroom 1600, 16th Floor
312 North Spring Street
Los Angeles, California 90012

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

Please direct your attention to the enclosed Hearing Session Order and Schedule of Matters for Hearing Session for a listing of the matters scheduled for consideration at this hearing session.

- Section A of this Schedule lists the matters designated for oral argument.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

For those matters listed on Section A of the Schedule, the enclosed blue "Notice of Presentation or Waiver of Oral Argument" must be returned to this office no later than **January 9, 2003**. Note the procedures governing Panel oral argument which are outlined on the enclosed "Procedures for Oral Argument before the Judicial Panel on Multidistrict Litigation." These procedures are strictly adhered to and your cooperation is appreciated.

Very truly,

Michael J. Beck
Clerk of the Panel

c: Clerk, U.S. District Court for the Central District of California

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION
FILED

DEC. 16, 2002

MICHAEL J. BECK
CLERK OF THE PANEL

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

***WM. TERRELL HODGES, CHAIRMAN, JOHN F. KEENAN, MOREY L. SEAR,
BRUCE M. SELYA, JULIA SMITH GIBBONS, D. LOWELL JENSEN AND J.
FREDERICK MOTZ, JUDGES OF THE PANEL***

HEARING SESSION ORDER

IT IS ORDERED that on January 28, 2003, a hearing session will be held in Los Angeles, California, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that at said hearing session the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section A of the attached Schedule shall be designated for oral argument.

IT IS FURTHER ORDERED that at said hearing session the matters listed on Section B of the attached Schedule shall be considered without oral argument, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 16.1(b), to issue a subsequent notice designating any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

FOR THE PANEL:



Wm. Terrell Hodges
Chairman

SCHEDULE OF MATTERS FOR HEARING SESSION
January 28, 2003 -- Los Angeles, California

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT

MDL-1451 -- In re Capital One Bank Credit Card Terms Litigation

Opposition of plaintiffs Jautassa Nelson, et al., and defendants Capital One Bank and Capital One Financial Corporation to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Northern District of California:

Central District of California

Jautassa Nelson, et al. v. Capital One Bank, et al., C.A. No. 2:02-3510 (N.D. California, C.A. No. 3:01-79)

MDL-1503 -- In re Advanced Investment Management, L.P., Pension Fund Management Litigation

Motion of defendants Advanced Investment Management, L.P.; Advanced Investment Management Acquisition Corporation; Advanced Investment Management, Inc.; Jeff Thomas Allen; William Thomas Belko; John Raymond Niedenberger, Jr.; and James Barlow Smith for centralization of the following actions in the United States District Court for the Western District of Pennsylvania:

Central District of California

San Bernardino County Employees' Retirement Association v. Advanced Investment Management, Inc., et al., C.A. No. 5:02-950

MDL-1503 (Continued)

District of Minnesota

Minneapolis Teachers' Retirement Fund Association v. Advanced Investment Management, L.P., et al., C.A. No. 0:02-2886
Minneapolis Employees Retirement Fund v. Advanced Investment Management, L.P., et al., C.A. No. 0:02-3546

Southern District of Ohio

Catholic Healthcare Partners, et al. v. Advanced Investment Management, L.P., et al.,
C.A. No. 1:02-578

MDL-1504 -- In re U-Haul International, Inc., Moving Equipment Rental Antitrust Litigation

Motion of plaintiffs Diana L. Day, et al., for centralization of the following actions in the United States District Court for the Southern District of Florida:

Southern District of California

Nick Ceh v. U-Haul International, Inc., C.A. No. 3:02-1977

Southern District of Florida

D. L. Day, et al. v. U-Haul International, Inc., C.A. No. 9:02-80689

MDL-1505 -- In re Cardiac Devices Qui Tam Litigation

Motion of plaintiff United States of America and relator Kevin D. Cosens for centralization of the following actions in the United States District Court for the Western District of Washington:

Central District of California

United States ex rel. Kevin D. Cosens, et al. v. Cedars-Sinai Medical Center,
C.A. No. 2:02-3264

United States ex rel. Kevin D. Cosens, et al. v. Hospital of Good Samaritan,
C.A. No. 2:02-6152

United States ex rel. Kevin D. Cosens, et al. v. Loma Linda University Medical Center,
C.A. No. 2:02-6153

Northern District of California

United States ex rel. Kevin D. Cosens, et al. v. Stanford University, C.A. No. 3:99-4121

District of Connecticut

United States ex rel. Kevin D. Cosens, et al. v. Yale-New Haven Hospital,
C.A. No. 3:00-688

District of District of Columbia

United States ex rel. Kevin D. Cosens, et al. v. Washington Hospital Center,
C.A. No. 1:02-812

Middle District of Florida

United States ex rel. Kevin D. Cosens, et al. v. Lee Memorial Hospital,
C.A. No. 2:02-227

United States ex rel. Kevin D. Cosens, et al. v. Florida Hospital Medical Center,
C.A. No. 6:02-452

United States ex rel. Kevin D. Cosens, et al. v. Orlando Regional Medical Center,
C.A. No. 6:02-543

MDL-1505 (Continued)

Northern District of Georgia

United States ex rel. Kevin D. Cosens, et al. v. Crawford Long Hospital of Emory University, et al., C.A. No. 1:02-1011

United States ex rel. Kevin D. Cosens, et al. v. St. Joseph's Hospital of Atlanta,
C.A. No. 1:02-2368

Northern District of Illinois

United States ex rel. Kevin D. Cosens, et al. v. Northwestern Memorial Hospital,
C.A. No. 1:02-2985

United States ex rel. Kevin D. Cosens, et al. v. Foster G. McGraw Hospital,
C.A. No. 1:02-2986

Southern District of Indiana

United States ex rel. Kevin D. Cosens, et al. v. Methodist Hospital of Indiana,
C.A. No. 1:02-1419

United States ex rel. Kevin D. Cosens, et al. v. St. Vincent Hospital and Health Care Center, C.A. No. 1:02-1420

District of Maryland

United States ex rel. Kevin D. Cosens, et al. v. Johns Hopkins Hospital,
C.A. No. 1:02-3234

District of Massachusetts

United States ex rel. Kevin D. Cosens, et al. v. Massachusetts General Hospital, et al.,
C.A. No. 1:02-11306

United States ex rel. Kevin D. Cosens, et al. v. Lahey Clinic Hospital, Inc.,
C.A. No. 1:02-11307

MDL-1505 (Continued)

Eastern District of Michigan

United States ex rel. Kevin D. Cosens, et al. v. William Beaumont Hospital,
C.A. No. 2:02-73754

United States ex rel. Kevin D. Cosens, et al. v. St. Joseph Mercy Hospital,
C.A. No. 2:02-73946

United States ex rel. Kevin D. Cosens, et al. v. Harper Hospital, C.A. No. 2:02-74025

Eastern District of Missouri

United States ex rel. Kevin D. Cosens, et al. v. St. Louis University Hospital,
C.A. No. 4:02-1390

United States ex rel. Kevin D. Cosens, et al. v. Jewish Hospital of St. Louis,
C.A. No. 4:02-1391

Eastern District of New York

United States ex rel. Kevin D. Cosens, et al. v. St. Francis Hospital, Roslyn,
C.A. No. 2:02-2324

Southern District of New York

United States ex rel. Kevin D. Cosens, et al. v. Montefiore Medical Center,
C.A. No. 1:02-7768

Middle District of North Carolina

United States ex rel. Kevin D. Cosens, et al. v. Duke University Medical Center,
C.A. No. 1:99-746

Northern District of Ohio

United States ex rel. Kevin D. Cosens, et al. v. [Sealed], et al., C.A. No. 1:99-2162

MDL-1505 (Continued)

District of Oregon

United States ex rel. Kevin D. Cosens, et al. v. Good Samaritan Hospital and Medical Center, C.A. No. 3:02-1251

United States ex rel. Kevin D. Cosens, et al. v. St. Vincent Hospital and Medical Center, C.A. No. 3:02-1259

Eastern District of Pennsylvania

United States ex rel. Kevin D. Cosens, et al. v. Hospital of the University of Pennsylvania, et al., C.A. No. 2:02-7297

Middle District of Tennessee

United States ex rel. Kevin D. Cosens, et al. v. St. Thomas Hospital, C.A. No. 3:02-885

Western District of Tennessee

United States ex rel. Kevin D. Cosens, et al. v. [Sealed], C.A. No. 2:02-2719

Northern District of Texas

United States ex rel. Kevin D. Cosens, et al. v. Baylor University Medical Center, C.A. No. 3:02-2001

United States ex rel. Kevin D. Cosens, et al. v. Methodist Hospital, Lubbock, Texas, C.A. No. 5:02-239

Southern District of Texas

United States ex rel. Kevin D. Cosens, et al. v. The Methodist Hospital, et al., C.A. No. 4:02-1449

Eastern District of Virginia

United States ex rel. Kevin D. Cosens, et al. v. Sentara Norfolk General Hospital, C.A. No. 2:02-727

MDL-1505 (Continued)

Eastern District of Washington

United States ex rel. Kevin D. Cosens, et al. v. Sacred Heart Medical Center, et al.,
C.A. No. 2:02-127

Western District of Washington

United States ex rel. Kevin D. Cosens, et al. v. Providence Medical Center,
C.A. No. 2:94-474

Eastern District of Wisconsin

United States ex rel. Kevin D. Cosens, et al. v. St. Luke's Medical Center, Inc., et al.,
C.A. No. 2:02-901

MDL-1506 -- In re Charter Communications, Inc., Securities Litigation

Motion of defendants Charter Communications, Inc.; Carl E. Vogel; and Kent D. Kalkwarf for centralization of the following actions in the United States District Court for the Eastern District of Missouri:

Central District of California

Mytien Ngo v. Charter Communications, Inc., et al., C.A. No. 2:02-6004
David Birnbaum v. Charter Communications, Inc., et al., C.A. No. 2:02-6116
Fred B. Storey v. Charter Communications, Inc., et al., C.A. No. 2:02-6283
Patricia Morrow v. Charter Communications, Inc., et al., C.A. No. 2:02-6297

District of District of Columbia

Evelyn Gadol v. Charter Communications, Inc., et al., C.A. No. 1:02-1714

MDL-1506 (Continued)

Southern District of Illinois

George Pike v. Charter Communications, Inc., et al., C.A. No. 3:02-947

Eastern District of Missouri

Carmen Rodriguez, et al. v. Charter Communications, Inc., et al., C.A. No. 4:02-1186

Andrew Budman, et al. v. Charter Communications, Inc., et al., C.A. No. 4:02-1197

Jill D. Martin v. Charter Communications, Inc., et al., C.A. No. 4:02-1214

James L. Gessford v. Charter Communications, Inc., et al., C.A. No. 4:02-1233

Lee Posner v. Charter Communications, Inc., et al., C.A. No. 4:02-1357

Laurence E. Balfus v. Charter Communications, Inc., et al., C.A. No. 4:02-1377

John Dortch v. Charter Communications, Inc., et al., C.A. No. 4:02-1381

Stoneridge Investment Partners, LLP v. Charter Communications, Inc., et al.,
C.A. No. 4:02-1478

MDL-1507 -- In re Prempro Products Liability Litigation

Motion of plaintiffs Gayle Lewers, et al.; Sharon Cook, et al.; Manuela Favela; Janice Szabo, et al.; and Jane Krznaric for centralization of the following actions in the United States District Court for the Central District of California:

Eastern District of Arkansas

Sharon Cook, et al. v. Wyeth Inc., et al., C.A. No. 4:02-529

Central District of California

Manuela Favela v. Wyeth, Inc., et al., C.A. No. 2:02-5893

Janice Szabo, et al. v. Wyeth, Inc., et al., C.A. No. 2:02-7628

Jane Krznaric v. Wyeth, Inc., et al., C.A. No. 2:02-7692

MDL-1507 (Continued)

Northern District of Illinois

Gayle Lewers, et al. v. Wyeth, Inc., et al., C.A. No. 1:02-4970

Middle District of Louisiana

Trudie Attuso, et al. v. Wyeth, Inc., et al., C.A. No. 3:02-852

MDL-1508 -- In re Medco Health Solutions, Inc., Pharmacy Benefits Management Litigation

Motion of defendants Medco Health Solutions, Inc., and Merck & Company, Inc., for centralization of the following actions in the United States District Court for the Southern District of New York:

Northern District of California

Frank Steve McMillan, et al. v. Merck-Medco Managed Care, L.L.C., et al.,
C.A. No. 3:01-4513

David J. Gibson, etc. v. Medco Health Solutions, Inc., et al., C.A. No. 3:02-5038

Southern District of California

Adam Miles, etc. v. Merck-Medco Managed Care, L.L.C., et al., C.A. No. 3:02-1476

Southern District of New York

Genia Gruer, et al. v. Merck-Medco Managed Care, L.L.C., et al., C.A. No. 7:97-9167

Walter J. Green, Jr. v. Merck-Medco Managed Care, L.L.C., C.A. No. 7:98-847

Mildred Bellow v. Merck-Medco Managed Care, L.L.C., C.A. No. 7:98-4763

Marissa Janazzo, etc. v. Merck-Medco Managed Care, L.L.C., et al., C.A. No. 7:99-4067

Harry J. Blumenthal, Jr., et al. v. Merck-Medco Managed Care, L.L.C., et al.,
C.A. No. 7:99-4970

Elizabeth O'Hare v. Merck-Medco Managed Care, L.L.C., C.A. No. 7:01-3805

Betty Jo Jones, etc. v. Merck-Medco Managed Care, L.L.C., et al., C.A. No. 7:02-8799

MDL-1509 -- In re Personalized Media Communications, L.L.C., Patent Litigation

Motion of defendants Scientific-Atlanta, Inc., and PowerTV, Inc., for centralization of the following actions in the United States District Court for the District of Delaware:

District of Delaware

Pegasus Development Corp., et al. v. DirecTV, Inc., et al., C.A. No. 1:00-1020

Northern District of Georgia

Personalized Media Communications, L.L.C. v. Scientific-Atlanta, Inc., et al.,
C.A. No. 1:02-824

MDL-1510 -- In re Daewoo Motor Co., Ltd., Dealerships Litigation

Motion of defendant General Motors Corporation and certain plaintiff Daewoo Dealers for centralization of the following actions in the United States District Court for the Middle District of Florida:

Central District of California

Liberty Motors, Inc. v. Daewoo Motor Co., et al., Bky. Advy. No. 2:02-2623
Enterprise Automotive Group I, et al. v. Daewoo Motor America, Inc., et al.,
C.A. No. 2:02-6006
Sullivan Daewoo, et al. v. Daewoo Motor America, Inc., C.A. No. 2:02-6187

Middle District of Florida

HDWP, Inc. v. General Motors Corp., C.A. No. 6:02-969

Western District of Pennsylvania

Dodge City, Inc. v. General Motors Corp., C.A. No. 2:02-1532

Southern District of Texas

Archer Motor Sales Corp. v. General Motors Corp., C.A. No. 4:02-3467

MDL-1511 -- In re Xcel Energy, Inc., Securities, Derivative & "ERISA" Litigation

Motion of defendant Xcel Energy, Inc., and fifteen individual related defendants for centralization of the following actions in the United States District Court for the District of Minnesota:

District of Colorado

Donald Newcome, et al. v. Xcel Energy, Inc., et al., C.A. No. 1:02-1829

Gene Barday, Jr. v. Xcel Energy, Inc., et al., C.A. No. 1:02-1932

District of Minnesota

Max Bruckner, et al. v. Xcel Energy, Inc., et al., C.A. No. 0:02-2677

Jonathan Miller v. Xcel Energy, Inc., et al., C.A. No. 0:02-2774

Sayers Investment Partners, et al. v. Xcel Energy, Inc., et al., C.A. No. 0:02-2787

Francis John Pease v. Xcel Energy, Inc., et al., C.A. No. 0:02-2832

Norma Keggs v. Xcel Energy, Inc., et al., C.A. No. 0:02-2889

Eastside Holdings, Ltd. v. Xcel Energy, Inc., et al., C.A. No. 0:02-2921

Edith Gottlieb v. Xcel Energy, Inc., et al., C.A. No. 0:02-2931

James G. Thomas, etc. v. Xcel Energy, Inc., et al., C.A. No. 0:02-2933

Glen R. Laws v. Xcel Energy, Inc., et al., C.A. No. 0:02-3053

Chips Investments Limited Partnership v. Xcel Energy, Inc., et al., C.A. No. 0:02-3508

William Potter v. Xcel Energy, Inc., et al., C.A. No. 0:02-3574

Dorothy Potash v. Xcel Energy, Inc., et al., C.A. No. 0:02-3715

Catholic Workman v. Xcel Energy, Inc., et al., C.A. No. 0:02-3755

Eliot B. Gersten v. Xcel Energy, Inc., et al., C.A. No. 0:02-3798

MDL-1512 -- In re Electronic Data Systems Corp. Securities & "ERISA" Litigation

Motion, as amended, of defendant Electronic Data Systems Corporation and thirteen individual defendants for centralization of the following actions in the United States District Court for the Eastern District of Texas:

Southern District of New York

Jennifer J. Fadem v. Electronic Data Systems Corp., et al., C.A. No. 1:02-7738
Henry Spitzer v. Electronic Data Systems Corp., et al., C.A. No. 1:02-7852
Samuel Zaks v. Electronic Data Systems Corp., et al., C.A. No. 1:02-7970
Vladimir Spira, M.D. v. Electronic Data Systems Corp., et al., C.A. No. 1:02-7997
Stephen A. Goldberg v. Electronic Data Systems Corp., et al., C.A. No. 1:02-8332

Eastern District of Texas

Barry Family, LP v. Electronic Data Systems Corp., et al., C.A. No. 4:02-300
John Braun, et al. v. Electronic Data Systems Corp., et al., C.A. No. 4:02-304
Stephen M. Harnik, etc. v. Electronic Data Systems Corp., et al., C.A. No. 4:02-308
Bridgewater Partners v. Electronic Data Systems Corp., et al., C.A. No. 4:02-310
Glen W. Vanderwarter v. Electronic Data Systems Corp., et al., C.A. No. 4:02-314
Lief Thorne-Thomsen v. Electronic Data Systems Corp., et al., C.A. No. 4:02-321
John J. Britt, Jr. v. Electronic Data Systems Corp., et al., C.A. No. 4:02-322
Stanley Sved v. Electronic Data Systems Corp., et al., C.A. No. 4:02-323
Haddon Zia v. Electronic Data Systems Corp., et al., C.A. No. 4:02-329
William J. Kluemper v. Electronic Data Systems Corp., et al., C.A. No. 4:02-331
John McLoughlin v. Electronic Data Systems Corp., et al., C.A. No. 4:02-335
Stanton Discount Pharmacy, Inc. v. Electronic Data Systems Corp., et al.,
C.A. No. 4:02-336
Richard Langbecker v. Electronic Data Systems Corp., et al., C.A. No. 4:02-346
Douglas B. Vanderlip v. Electronic Data Systems Corp., et al., C.A. No. 4:02-356
Jennifer Chana Fink v. Electronic Data Systems Corp., et al., C.A. No. 4:02-365
Jeffrey Smith v. Electronic Data Systems Corp., et al., C.A. No. 4:02-368
Larry Florer v. Electronic Data Systems Corp., et al., C.A. No. 4:02-371
Michael Feder v. Electronic Data Systems Corp., et al., C.A. No. 5:02-207
Mayer Horwitz, et al. v. Electronic Data Systems Corp., et al., C.A. No. 5:02-232
Gregory R. Miller v. Electronic Data Systems Corp., et al., C.A. No. 5:02-233
Craig Thompson v. Electronic Data Systems Corp., et al., C.A. No. 5:02-248

MDL-1513 -- In re Wireless Telephone Services Antitrust Litigation

Motion of defendants AT&T Wireless Services, Inc.; Sprint Spectrum, L.P.; and Voicestream Wireless Corporation for centralization of the following actions in the United States District Court for the Southern District of New York:

Northern District of California

Paula Truong, et al. v. AT&T Wireless PCS, LLC, et al., C.A. No. 3:02-4580

Northern District of Illinois

Stephen T. Beeler, et al. v. AT&T Cellular Services, Inc., et al., C.A. No. 1:02-6975

District of Massachusetts

Andrew Millen, et al. v. AT&T Wireless PCS, LLC, et al., C.A. No. 1:02-11689

Southern District of New York

Wireless Consumers Alliance, Inc., et al. v. AT&T Cellular Services, Inc., et al.,
C.A. No. 1:02-2637

Southern District of Texas

Ana Morales, et al. v. AT&T Wireless PCS, et al., C.A. No. 5:02-120

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

MDL-381 -- In re "Agent Orange" Products Liability Litigation

Oppositions of plaintiffs Vickey S. Garncarz, etc., and J. Michael Twinam to transfer of their respective following actions to the United States District Court for the Eastern District of New York:

Northern District of Illinois

Vickey S. Garncarz, etc. v. Dow Chemical Co., et al., C.A. No. 1:02-5977

Northern District of New York

J. Michael Twinam v. Dow Chemical Co., et al., C.A. No. 1:02-1289

MDL-875 -- In re Asbestos Products Liability Litigation (No. VI)

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Southern District of Mississippi

Lucille W. Evers, et. al. v. AC&S, et. al., C.A. No. 1:02-708
Pauline Addison, et. al. v. A.O. Smith, et. al., C.A. No. 1:02-724
Dorothy Baldwin, et. al. v. A.O. Smith, et. al., C.A. No. 1:02-725
Joe E. Bailey, et. al. v. A.O. Smith, et. al., C.A. No. 1:02-726
Percy Barnes, et. al. v. A.O. Smith, et. al., C.A. No. 1:02-727
Nettie Adkins, et. al. v. A.O. Smith, et. al., C.A. No. 1:02-728
James E. Barfield, et. al. v. A.O. Smith, et. al., C.A. No. 1:02-729
Katie Avery, et. al. v. A.O. Smith, et. al., C.A. No. 1:02-731
Calvin Buckley, et. al. v. A.O. Smith, et. al., C.A. No. 1:02-733
Jimmy Barber, et. al. v. A.O. Smith, et. al., C.A. No. 1:02-734

MDL-986 -- In re "Factor VIII or IX Concentrate Blood Products" Products Liability Litigation

Opposition of defendants Bayer Corporation; Baxter Healthcare Corporation; Rhone-Poulenc Rorer, Inc.; and Alpha Therapeutic Corporation to remand of the following action to the United States District Court for the Eastern District of New York:

Northern District of Illinois

A.M. v. Rhone-Poulenc Rorer, Inc., et al., C.A. No. 1:02-6404 (E.D. New York, C.A. No. 1:02-3479)

MDL-1023 -- In re NASDAQ Market-Maker Antitrust and Securities Litigation

Motion of defendants Morgan Stanley & Company International Ltd.; Merrill Lynch, Pierce, Fenner & Smith, Inc.; and Merrill Lynch & Company to transfer the following action to the United States District Court for the Southern District of New York:

Middle District of Georgia

John Genins v. Morgan Stanley & Co., Inc., et al., C.A. No. 3:02-57

MDL-1061 -- In re Prudential Insurance Company of America Sales Practices Litigation

Oppositions of plaintiffs Lawrence P. Peck and William E. Ermlich to transfer of their respective following actions to the United States District Court for the District of New Jersey:

District of Hawaii

Lawrence P. Peck v. Prudential Insurance Co. of America, C.A. No. 1:02-645

Northern District of New York

William E. Ermlich v. Prudential Insurance Co. of America, C.A. No. 3:02-1060

MDL-1096 -- In re Crown Life Insurance Company Premium Litigation

Oppositions of plaintiffs Chun-Chiao Tsen, et al., and Barry Braunstein, et al., to transfer of their respective following actions to the United States District Court for the Southern District of Texas:

Central District of California

Chun-Chiao Tsen, et al. v. Crown Life Insurance Co., et al., C.A. No. 2:02-8087

Southern District of New York

Barry Braunstein, et al. v. American Crown Life Insurance Co., et al.,
C.A. No. 1:02-2830

MDL-1122 -- In re Jackson National Life Insurance Company Premium Litigation

Oppositions of plaintiffs James E. Bolin, et al., and defendant Pittman Edwards to transfer of the following action to the United States District Court for the Western District of Michigan:

Northern District of Mississippi

James E. Bolin, et al. v. Jackson National Life Insurance Co., et al., C.A. No. 2:02-204

MDL-1143 -- In re Mutual Life Insurance Company of New York Premium Litigation

Opposition of plaintiffs M&A Electric Co., Inc., et al., to transfer of the following action to the United States District Court for the District of Massachusetts:

Northern District of Alabama

M&A Electric Co., Inc., et al. v. MONY Life Insurance Co. of America,
C.A. No. 2:02-1824

MDL-1148 -- In re Latex Gloves Products Liability Litigation

Opposition of plaintiffs Cynthia Oldenburg, et al., to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Western District of Missouri

Cynthia Oldenburg, et al. v. Robert C. Patterson, et al., C.A. No. 4:02-862

MDL-1199 -- In re Ford Motor Company/Citibank N.A. Cardholder Rebate Program Litigation

Motion of defendants Citibank (South Dakota), N.A., and Ford Motor Company to remand, under 28 U.S.C. § 1407(a), the following actions from the United States District Court for the Western District of Washington to their respective transferor courts:

Western District of Washington

Ricky A. Copeland v. Ford Motor Co., C.A. No. 2:98-817 (N.D. Alabama,
C.A. No. 7:97-2666)

John La Grou v. Ford Motor Co., C.A. No. 2:98-226 (C.D. California,
C.A. No. 2:97-9198)

John McCauley v. Ford Motor Co., et al., C.A. No. 2:98-151 (N.D. Illinois,
C.A. No. 1:97-5627)

Gerald Essig, et al. v. Ford Motor Co., C.A. No. 2:98-152 (E.D. New York,
C.A. No. 1:97-4648)

Jeffrey Scott Merrick v. Ford Motor Co., et al., C.A. No. 2:98-153 (D. Oregon,
C.A. No. 3:97-1186)

MDL-1203 -- In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Products
Liability Litigation

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Middle District of Alabama

Loretta Ferrelll v. Wyeth, et al., C.A. No. 2:02-1072

Eastern District of Arkansas

Tina Hudspeth v. Wyeth, et al., C.A. No. 3:02-308

Middle District of Florida

Kathleen Ohrn, et al. v. Wyeth-Ayerst Laboratories Co., et al., C.A. No. 8:02-1562

Northern District of Georgia

Richard L. Stewart, et al. v. American Home Products Corp., et al., C.A. No. 1:02-2305
Helen Washington, et al. v. American Home Products Corp., et al., C.A. No. 1:02-2567

District of Idaho

Donna Heimback, et al. v. A.H. Robins Co., et al., C.A. No. 1:02-347
Helen Marie Trautman, et al. v. American Home Products Corp., et al.,
C.A. No. 3:02-348

District of Maryland

Gayle Moore, et al. v. Wyeth-Ayerst Laboratories, et al., C.A. No. 1:02-2961

Northern District of Mississippi

Cyndi Chrestman, et al. v. American Home Products Corp., et al., C.A. No. 2:02-203
Gladys Williamson, et al. v. American Home Products Corp., et al., C.A. No. 4:02-219

MDL-1203 (Continued)

Southern District of Mississippi

Reatha Barnett, et al. v. American Home Products Corp., et al., C.A. No. 2:02-742

Eastern District of Oklahoma

Callie Haggard v. Wyeth, et al., C.A. No. 6:02-446

Western District of Oklahoma

Sharon Marie McKee v. Wyeth, et al., C.A. No. 5:02-1119

Karen Moseley v. Wyeth, et al., C.A. No. 5:02-1120

Northern District of Texas

Nettie Schroeder v. Wyeth-Ayerst Laboratories, et al., C.A. No. 4:02-547

Southern District of Texas

Jeanne Clarson v. Mark Douglas Francis, M.D., et al., C.A. No. 4:02-3033

District of Utah

Fred Stanger, et al. v. American Home Products Corp., et al., C.A. No. 1:02-110

Patty Long v. American Home Products Corp., et al., C.A. No. 2:02-972

Valorie Haslam v. American Home Products Corp., et al., C.A. No. 2:02-1001

Dorothy Jensen v. American Home Products Corp., et al., C.A. No. 2:02-1002

MDL-1214 -- In re Great Southern Life Insurance Company Sales Practices Litigation

Motion of defendant Great Southern Life Insurance Company to transfer the following action to the United States District Court for the Northern District of Texas:

District of New Mexico

Caroline M. Barr v. Great Southern Life Insurance Co., et al., C.A. No. 1:02-1282

MDL-1334 -- In re Managed Care Litigation

Opposition of plaintiff Magellan Medical Corporation to transfer of the following action to the United States District Court for the Southern District of Florida:

Central District of California

Magellan Medical Corp. v. Aetna Life Insurance Co., et al., C.A. No. 2:01-3593

MDL-1337 -- In re Holocaust Era German Industry, Bank & Insurance Litigation

Opposition of plaintiff Ursula Ungaro-Benages to transfer of the following action to the United States District Court for the District of New Jersey:

Southern District of Florida

Ursula Ungaro-Benages v. Dresdner Bank AG, et al., C.A. No. 1:01-2547

MDL-1348 -- In re Rezulin Products Liability Litigation

Oppositions of plaintiffs and defendant John P. Koren, M.D., to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Northern District of Illinois

Claudine Brissett, etc. v. Pfizer, Inc., et al., C.A. No. 1:02-6061
Essie Jones v. Pfizer, Inc., et al., C.A. No. 1:02-6063

Northern District of Mississippi

Rodney Taylor, etc. v. Warner-Lambert Co., et al., C.A. No. 2:02-208

Southern District of Mississippi

Mary P. Gray, et. al. v. Warner-Lambert Co., et. al., C.A. No. 2:02-576
Gloria Pittman, etc. v. Warner-Lambert Co., et al., C.A. No. 3:02-1504

District of Nevada

Charles Bruggenwirth, et al. v. Warner-Lambert Co., et al., C.A. No. 2:02-314
Gary Leonard v. Warner-Lambert Co., et al., C.A. No. 2:02-321
Clayton E. Alvey, Jr. v. Warner-Lambert Co., et al., C.A. No. 2:02-330
Jean Belden v. Warner-Lambert Co., et al., C.A. No. 2:02-336
Stanley Kerner, et al. v. Warner-Lambert Co., et al., C.A. No. 2:02-337
Jan Kopper v. Warner-Lambert Co., et al., C.A. No. 2:02-340
Shonnette Wilson v. Warner-Lambert Co., et al., C.A. No. 2:02-341
Martin Bernard Bloom, et al. v. Warner-Lambert Co., et al., C.A. No. 2:02-440
J. L. Doss v. Warner-Lambert Co., et al., C.A. No. 2:02-506
Ernesto Acosta v. Warner-Lambert Co., et al., C.A. No. 2:02-520

District of New Mexico

Jeanette Leyba v. Pfizer, Inc., et al., C.A. No. 1:02-1032
Joseph Maestas v. Pfizer, Inc., et al., C.A. No. 1:02-1188

Northern District of Ohio

William E. Cunningham, et al. v. Warner-Lambert Co., et al., C.A. No. 4:02-1913

MDL-1348 (Continued)

District of South Carolina

Margaret Vann, etc. v. Parke Davis & Co., Inc., et al., C.A. No. 4:02-3346

Southern District of Texas

Dianne Gibson v. Warner-Lambert Co., et al., C.A. No. 4:02-1312

Ericka L. Anderson v. Warner-Lambert Co., et al., C.A. No. 4:02-1313

MDL-1355 -- In re Propulsid Products Liability Litigation

Opposition of plaintiffs Shanone M. Coleman, et al., to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Northern District of Mississippi

Shanone M. Coleman, et al. v. Janssen Pharmaceutica, Inc., et al., C.A. No. 2:02-171

MDL-1373 -- In re Bridgestone/Firestone, Inc., Tires Products Liability Litigation

Oppositions of plaintiffs Armando Sanchez Castillo, et al.; David Katz; Shawn McGhie; Josephine Agrella, et al.; Fredy Ortiz; Melvin Stewart, et al.; Mary Brock, etc.; and Hugh L. McKenney, et al., to transfer of their respective following actions to the United States District Court for the Southern District of Indiana:

District of Arizona

Armando Sanchez Castillo, et al. v. Bridgestone/Firestone, Inc., et al., C.A. No. 4:02-406

Central District of California

David Katz v. Ford Motor Co., C.A. No. 2:02-7149

MDL-1373 (Continued)

Northern District of California

Shawn McGhie v. Ford Motor Co., C.A. No. 3:02-3646

District of Connecticut

Josephine Agrella, et al. v. Ford Motor Co., C.A. No. 3:02-1453

Southern District of Florida

Fredy Ortiz v. Ford Motor Co., C.A. No. 1:02-22372

Central District of Illinois

Melvin Stewart, et al. v. Bridgestone/Firestone, Inc., et al., C.A. No. 2:02-2169

Southern District of Mississippi

Mary Brock, etc. v. Bridgestone/Firestone, Inc., et al., C.A. No. 4:02-401

Southern District of Texas

Hugh L. McKenney, et al. v. Bridgestone/Firestone North American Tire LLC, et al.,
C.A. No. 4:02-2594

MDL-1382 -- In re Unitrin, Inc., Industrial Life Insurance Litigation

Opposition of plaintiff Josephine Fleming to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Southern District of Mississippi

Josephine Fleming v. United Insurance Co. of America, et al., C.A. No. 5:02-610

MDL-1390 -- In re Life Insurance Co. of Georgia Industrial Life Insurance Litigation

Oppositions of plaintiffs Odessa A. Freightman and Rosie Lee McDonald to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Southern District of Mississippi

Odessa A. Freightman v. Life Insurance Co. of Georgia, et al., C.A. No. 1:02-682
Rosie Lee McDonald v. Life Insurance Co. of Georgia, et al., C.A. No. 5:02-606

MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

Oppositions of plaintiffs Eddie Bullock, et al., and Rudy Watts to transfer of their respective following actions to the United States District Court for the Western District of Washington:

Northern District of Mississippi

Eddie Bullock, et al. v. Walter Moses, M.D., et al., C.A. No. 4:02-214

Southern District of Mississippi

Rudy Watts v. Bayer Corp., et al., C.A. No. 3:02-1473

MDL-1423 -- In re Cygnus Telecommunications Technology, LLC, Patent Litigation

Oppositions of defendants Interactive Media Technologies, Inc., and Telesys Communications, LLC, to transfer of their respective following actions to the United States District Court for the Northern District of California:

Southern District of Florida

Cygnus Telecommunications Technology, LLC v. Interactive Media Technologies, Inc.,
C.A. No. 9:02-80744

MDL-1423 (Continued)

Northern District of Georgia

Cygnus Telecommunications Technology, LLC v. Telesys Communications, LLC,
C.A. No. 1:02-2036

MDL-1429 -- In re American General Life & Accident Insurance Co. Industrial Life Insurance
Litigation

Opposition of plaintiff Lou Jean Jackson to transfer of the following action to the United
States District Court for the District of South Carolina:

Southern District of Alabama

Lou Jean Jackson v. American General Life & Accident Insurance Co., et al.,
C.A. No. 2:02-713

MDL-1431 -- In re Baycol Products Liability Litigation

Oppositions of plaintiffs Harold Gene Linzay; B.J. Dufour, et al.; Cindy Dickerson, et al.;
Verlean Toles, et al.; Curtis Coates, et al.; Mary Lynn Bynum, et al.; Alberta Vaughn; Elzenia
Dantzer; and Howard Stringer to transfer of their respective following actions to the United
States District Court for the District of Minnesota:

Western District of Louisiana

Harold Gene Linzay v. Bayer AG, et al., C.A. No. 3:02-1985
B.J. Dufour, et al. v. Bayer AG, et al., C.A. No. 3:02-1987

Northern District of Mississippi

Cindy Dickerson, et al. v. Bayer Corp., et al., C.A. No. 1:02-323
Verlean Toles, et al. v. Bayer Corp., et al., C.A. No. 3:02-141
Curtis Coates, et al. v. Bayer Corp., et al., C.A. No. 4:02-221

MDL-1431 (Continued)

Southern District of Mississippi

Mary Lynn Bynum, et al. v. Bayer Corp., et al., C.A. No. 2:02-716
Alberta Vaughn v. Bayer Corp., et al., C.A. No. 4:02-374
Elzenia Dantzler v. Bayer Corp., et al., C.A. No. 4:02-375

District of Nevada

Howard Stringer v. Bayer AG, et al., C.A. No. 2:02-1249

MDL-1437 -- In re McDonald's Corp. Promotional Games Litigation

Opposition of plaintiffs George R. Chandler, et al., to transfer of the following action to the United States District Court for the Northern District of Illinois:

Middle District of Florida

George R. Chandler, et al. v. Simon Marketing, Inc., et al., C.A. No. 3:02-858

MDL-1446 -- In re Enron Corp. Securities, Derivative & "ERISA" Litigation

Oppositions of plaintiffs Hudson Soft Co., Ltd., and Wai Chinn to transfer of their respective following actions to the United States District Court for the Southern District of Texas:

Southern District of New York

Hudson Soft Co., Ltd. v. Credit Suisse First Boston Corp., et al., C.A. No. 1:02-5768

District of Oregon

Wai Chinn v. Robert A. Belfer, et al., C.A. No. 3:02-1392

MDL-1456 -- In re Pharmaceutical Industry Average Wholesale Price Litigation

Oppositions of plaintiffs John Rice and Constance Thompson to transfer of their respective following actions to the United States District Court for the District of Massachusetts:

Northern District of California

John Rice v. Abbott Laboratories, Inc., et al., C.A. No. 3:02-3925

Constance Thompson v. Abbott Laboratories, Inc., et al., C.A. No. 3:02-4450

MDL-1467 -- In re Tri-State Crematory Litigation

Oppositions of plaintiff Trinity Universal Insurance Company and defendants Turner Funeral Home, Inc.; Robert K. Schrader; Larry T. Dowden; and James M. Turner to transfer of the following action to the United States District Court for the Northern District of Georgia:

Eastern District of Tennessee

Trinity Universal Insurance Co. v. Turner Funeral Home, et al., C.A. No. 1:02-231

MDL-1472 -- In re Global Crossing Ltd. Securities & "ERISA" Litigation

Oppositions of plaintiffs Roy L. Olofson; Keith Beightol; John Frank Clark; Randal Simonetti, et al.; and Donna Reeves-Collins, et al., to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Central District of California

Roy L. Olofson v. Gary C. Winnick, et al., C.A. No. 2:02-4766

Southern District of Mississippi

Keith Beightol v. UBS PaineWebber Inc., et al., C.A. No. 4:02-280

John Frank Clark v. UBS PaineWebber Inc., et al., C.A. No. 4:02-281

MDL-1472 (Continued)

Western District of New York

Randal Simonetti, et al. v. Joseph Perrone, et al., C.A. No. 6:02-6129

Donna Reeves-Collins, et al. v. Gary Winnick, et al., C.A. No. 6:02-6376

MDL-1481 -- In re Meridia Products Liability Litigation

Oppositions of plaintiffs Nataschus Johnson and Mary Bracero to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Middle District of Alabama

Nataschus Johnson v. Knoll Pharmaceutical Co., et al., C.A. No. 2:02-702

District of New Jersey

Mary Bracero v. Abbott Laboratories Corp., et al., C.A. No. 2:02-3494

MDL-1484 -- In re Merrill Lynch & Co., Inc., Research Reports Securities Litigation

Oppositions of plaintiffs David C. Kirkpatrick; William H. Durham, M.D.; and Tom Lester, et al., to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Western District of Kentucky

David C. Kirkpatrick v. Merrill Lynch & Co., et al., C.A. No. 4:02-178

Southern District of Mississippi

William H. Durham, M.D. v. Merrill Lynch & Co., Inc., et al., C.A. No. 2:02-164

Tom Lester, et al. v. Merrill Lynch & Co., et al., C.A. No. 2:02-165

MDL-1487 -- In re WorldCom, Inc., Securities & "ERISA" Litigation

Opposition of plaintiffs California Public Employees Retirement System, et al.; Board of Trustees of the Teachers' Retirement System of the State of Illinois; State Universities Retirement System of Illinois; Illinois State Board of Investment; and West Virginia Investment Management Board to transfer of their respective following actions to the United States District Court for the Southern District of New York:

Central District of California

California Public Employees Retirement System, et al. v. WorldCom, Inc., et al.,
C.A. No. 2:02-6088

Northern District of Illinois

Board of Trustees of the Teachers' Retirement System of the State of Illinois v. WorldCom, Inc., et al., C.A. No. 1:02-5542
State Universities Retirement System of Illinois v. WorldCom, Inc., et al.,
C.A. No. 1:02-5543
Illinois State Board of Investment v. Bernard J. Ebbers, et al., C.A. No. 1:02-6789

Southern District of West Virginia

West Virginia Investment Management Board v. WorldCom, Inc., et al.,
C.A. No. 2:02-1001

MDL-1488 -- In re Ford Motor Co. Crown Victoria Police Interceptor Products Liability Litigation

Oppositions of plaintiffs City of Indianapolis, et al., Town of Ball, et al., and City of Lexington to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Southern District of Indiana

City of Indianapolis, et al. v. Ford Motor Co., et al., C.A. No. 1:02-1571

MDL-1488 (Continued)

Western District of Louisiana

Town of Ball, et al. v. Ford Motor Co., et al., C.A. No. 1:02-2102

Southern District of Mississippi

City of Lexington, Mississippi v. Ford Motor Co., et al., C.A. No. 3:02-1467

PROCEDURES FOR ORAL ARGUMENT BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

All oral argument is governed by the provisions of Rule 16.1 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (effective April 2, 2001). Rule 16.1(g) allows a maximum of twenty minutes for oral argument in each matter. In most cases, however, less time is necessary for the expression of all views and the Panel reserves the prerogative of reducing the time requested by counsel. Accordingly, counsel should be careful not to overstate the time requested for oral argument.

The Panel insists that counsel limit all oral argument to the appropriate criteria. See generally In re “East of the Rockies” Concrete Pipe Antitrust Cases, 302 F. Supp. 244, 255-56 (J.P.M.L. 1969) (concurring opinion) (discussion concerning criteria for transfer).

Rule 16.1 is duplicated in its entirety hereafter for your convenience.

RULE 16.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Hearing sessions of the Panel for the presentation of oral argument and consideration of matters taken under submission without oral argument shall be held as ordered by the Panel. The Panel shall convene whenever and wherever desirable or necessary in the judgment of the Chairman. The Chairman shall determine which matters shall be considered at each hearing session and the Clerk of the Panel shall give notice to counsel for all parties involved in the litigation to be so considered of the time, place and subject matter of such hearing session.

(b) Each party filing a motion or a response to a motion or order of the Panel under Rules 7.2, 7.3, 7.4 or 7.6 of these Rules may file simultaneously therewith a separate statement limited to one page setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard," and shall be filed and served in conformity with Rules 5.12 and 5.2 of these Rules.

(c) No transfer or remand determination regarding any action pending in the district court shall be made by the Panel when any party timely opposes such transfer or remand unless a hearing session has been held for the presentation of oral argument except that the Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented in the briefs and record, and the decisional process would not be significantly aided by oral argument.

Unless otherwise ordered by the Panel, all other matters before the Panel, such as a motion for reconsideration, shall be considered and determined upon the basis of the papers filed.

(d) In those matters in which oral argument is not scheduled by the Panel, counsel shall be promptly advised. If oral argument is scheduled in a matter the Clerk of the Panel may require counsel for all parties who wish to make or to waive oral argument to file and serve notice to that effect within a stated time in conformity with Rules 5.12 and 5.2 of these Rules. Failure to do so shall be deemed a waiver of oral argument by that party. If oral argument is scheduled but not attended by a party, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision by the Panel on the basis of the papers filed.

(e) Except for leave of the Panel on a showing of good cause, only those parties to actions scheduled for oral argument who have filed a motion or written response to a motion or order shall be permitted to appear before the Panel and present oral argument.

(f) Counsel for those supporting transfer or remand under Section 1407 and counsel for those opposing such transfer or remand are to confer separately prior to the oral argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication.

(g) Unless otherwise ordered by the Panel, a maximum of twenty minutes shall be allotted for oral argument in each matter. The time shall be divided equally among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

(h) So far as practicable and consistent with the purposes of Section 1407, the offering of oral testimony before the Panel shall be avoided. Accordingly, oral testimony shall not be received except upon notice, motion and order of the Panel expressly providing for it.

(i) After an action or group of actions has been set for a hearing session, consideration of such action(s) may be continued only by order of the Panel on good cause shown.

